

McMurry University  
14<sup>th</sup> & Sayles Boulevard  
McMurry Station  
Box 278  
Abilene, TX 79697

WT Docket No. 06-136

23 June 2009

Office of the Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
12<sup>th</sup> Street Lobby, TW-A325  
Washington, DC 20554

RE: Self-Transition Notice: McMurry University  
Transition of the 2500 - 2690 MHz Band for BRS and EBS  
Call Sign WLX312, BTA Number 3; Abilene, TX

Dear Ms. Dortch:

McMurry University is the licensee of EBS channel(s) G1G2G3G4 under FCC call sign WLX312. The geographic service area reference point for this authorization is located in the Abilene, TX BTA, BTA Number 3.

We have recently been informed that Clearwire Spectrum Holdings, LLC, a wholly-owned subsidiary of Clearwire Corporation ("Clearwire"), which had filed a Transition Initiation Plan for BTA Number 3: Abilene, Texas with the FCC on February 14, 2007 has now withdrawn that Transition Initiation Plan. Thus, there is currently no Proponent for the Transition. Pursuant to Section 21.1236 of the Commission's Rules, April 21, 2009 was the deadline for filing the subject Self Transition Notification. At the time that the deadline for filing a self transition notification passed Clearwire had not yet withdrawn its Transition Initiation Plan and as a result McMurry University was, by rule, not able to pursue the self-transition of its license within the prescribed timeline. To the extent necessary, since the reason for this late filing was due to circumstances beyond our control, we hereby request a waiver of Section 21.1236 of the Commission's Rules.

We understand that Clearwire had intended to complete the Transition in the Abilene BTA and had taken substantially all of the necessary steps to do so. However, due to issues surrounding the request of Coleman County Broadcasting ("CCB") to "opt-out" of the Transition process, Clearwire found it necessary to withdraw as the proponent at this late date. The FCC's rules prohibit the filing of Self Transition Notifications while a proponent-driven Transition is in process (see Section 21.1236(a) of the Rules). Thus, we are now left in a position where there is no proponent for our BTA, and due to circumstances beyond our control, we missed the Self Transition Notification Deadline. Thus, good cause exists for waiver of the April 21, 2009 deadline, and the acceptance of this late-filed Self Transition Notification.

A Self-Transition Notification will be sent to the other licensees in the Abilene, TX BTA and to those licensees whose GSA boundaries overlap the boundary associated with station WLX312. This Notification

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will include the information specified in Section 27.1236(c). Any interference conflicts revealed during the channel transition process will be coordinated with the other licensees that also are self-transitioning.

Upon completion of the facility modifications, McMurry University will file a modification application with the Commission. This process will be completed on or before 20 October 2010.

If you have any questions regarding this matter, please contact our technical coordinator for this project, Mark Eyer of Xanadoo at (610) 934-7058.

Sincerely,

A handwritten signature in black ink that reads "Brad Poorman". The signature is fluid and cursive, with the first name "Brad" and last name "Poorman" clearly distinguishable.

Brad Poorman, V.P. for Information and Support Services  
McMurry University

cc: Joel Taubenblatt, Chief, Broadband Division, WTB  
John Schauble, Deputy Chief, Broadband Division, WTB  
Consuela Kearney, Industry Analyst, Broadband Division, WTB